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FACSIMILE TRANSMITTAL

TO:

Name: Mail Stop AMENDMENT
Group Art Unit 3772/Examiner Michael Brown

Firm: U.S. Patent & Trademark Office

Fax No.: 571-273-8300

Subject: U.S. Patent Application No. 10/740,747

Gary Karlin Michelson

Filed: December 19, 2003

IMPLANT WITH LOCKING THREAD
CONFIGURATION FOR INSERTION
BETWEEN BONE STRUCTURES

Attorney Docket No. 102.0001-12000

Customer No. 22882

Confirmation No.: 4978

FROM:

Name: Thomas H. Martin, Esq.

Phone No.: 330-877-2277

No. of Pages (including this): 8

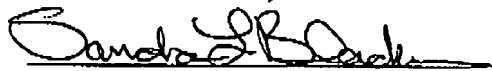
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Sandra L. Blackmon

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FORM PTO-1083

PATENT
Attorney Docket No.: 102.0001-12000
Customer Number 22882

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Examiner: Michael Brown

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith is a Reply to the Office Action of May 31, 2007 in the above-identified application.

- ☒ No additional fee is required.
- ☐ Applicant hereby requests a ***-month extension of time to respond to the above office action.
- ☐ The total amount of \$____ to cover the above fees is to be charged to Deposit Account No. 50-3726.
- ☒ The Commissioner is hereby authorized to charge any deficiencies of fees associated with this communication or credit any overpayment to Deposit Account No. 50-3726. **A copy of this sheet is enclosed.**
- ☒ Any filing fees under 37 C.F.R. § 1.16 for the presentation of extra claims
- ☒ Any patent application processing fees under 37 C.F.R. § 1.17

Respectfully submitted,
MARTIN & FERRARO LLP

Date: June 12, 2007

By: 
Thomas H. Martin
Registration No. 34,3831557 Lake O'Pines Street, NE
Hartville, Ohio 44632
Telephone: 330-877-0700
Facsimile: 330-877-2030

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Sir:

REPLY TO OFFICE ACTION

In the Office Action dated May 31, 2007, the Examiner rejected claims 19-23 and 25 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,878,915 to Brantigan ("Brantigan '915") in view of U.S. Patent No. 3,799,220 to Johnson ("Johnson"); and rejected claims 24-31 under 35 U.S.C. § 103(a) as being unpatentable over Brantigan '915 and Johnson in further view of U.S. Patent No. 4,834,757 to Brantigan. As discussed below, Applicant traverses the Examiner's rejections under 35 U.S.C. § 103(a) because the combination of Brantigan '915 and Johnson cannot be maintained.

In addition, Applicant notes that the Examiner has withdrawn claims 1 and 10-18. Note that claims 1 and 10-18 and claims 19-31 were subject to an Examiner's restriction requirement dated March 31, 2006. In a responsive communication dated April 04, 2006, Applicant provisionally elected claims 19-31 and submitted arguments traversing the Examiner's restriction requirement. In the next Office Action dated June 09, 2006 (and responsive to Applicant's communication of April 04, 2006), the Examiner was silent as to the traversal of the restriction requirement, but all of the pending claims were considered. As such, the Examiner implicitly acknowledged the

Reply to Office Action 6-12-07.doc